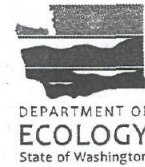




State of Washington  
Department of Ecology  
**SUPERSEDING**  
**CERTIFICATE OF WATER RIGHT**



*This is to certify that the herein named applicant has made proof to the satisfaction of the Department of Ecology of a right to the use of the public waters of the State of Washington as herein defined, and under and specifically subject to the provisions contained in the Permit issued by the Department of Ecology, and that said right to the use of said waters has been perfected in accordance with the laws of the State of Washington, and is hereby confirmed by the Department of Ecology and entered of record as shown, but is limited to an amount actually beneficially used.*

***This certificate supersedes Walla Walla Adjudicated Surface Water Certificate 833(A) issued on December 20, 2011 and is subject to the following provisions.***

|  |  |
|--|--|
| <b>PRIORITY DATE</b><br>Year 1926 (Class 64) | <b>CERTIFICATE NUMBER</b><br>Walla Walla Adjudicated Surface Water<br>Certificate 833(A) |
|--|--|

|  |                                    |
|--|------------------------------------|
| <b>MAILING ADDRESS</b><br>Scott Byerley<br>501 W. Langdon<br>Walla Walla, WA 99362 | <b>SITE ADDRESS (IF DIFFERENT)</b> |
|--|------------------------------------|

**Quantity Authorized for Withdrawal or Diversion**

|  |                     |  |
|--|---------------------|--|
| <b>WITHDRAWAL OR DIVERSION RATE</b><br>0.025 | <b>UNITS</b><br>CFS | <b>ANNUAL QUANTITY (AF/YR)</b><br>4.84 |
|--|---------------------|--|

**Purpose**

|                              |  |  |
|------------------------------|--|--|
| <b>PURPOSE</b><br>Irrigation | <b>WITHDRAWAL OR DIVERSION RATE</b><br>0.0166 CFS FROM 04/01 TO 07/01<br>0.0125 CFS FROM 07/01 TO 10/01<br>0.025 CFS FROM 10/01 TO 04/01 | <b>ANNUAL QUANTITY (AF/YR)</b><br>4.84 |
|------------------------------|--|--|

|                         |                     |  |                    |
|-------------------------|---------------------|--|--------------------|
| <b>IRRIGATED ACRES</b>  |                     | <b>PUBLIC WATER SYSTEM INFORMATION</b> |                    |
| <b>ADDITIVE</b><br>1.25 | <b>NON-ADDITIVE</b> | <b>WATER SYSTEM ID</b>                 | <b>CONNECTIONS</b> |

**Source Location**

|                              |                                       |                                       |  |
|------------------------------|---------------------------------------|---------------------------------------|--|
| <b>COUNTY</b><br>Walla Walla | <b>WATERBODY</b><br>Walla Walla River | <b>TRIBUTARY TO</b><br>Columbia River | <b>WATER RESOURCE INVENTORY AREA</b><br>32-Walla Walla |
|------------------------------|---------------------------------------|---------------------------------------|--|

|   |               |                 |                    |                     |                  |                      |                 |                  |
|---|---------------|-----------------|--------------------|---------------------|------------------|----------------------|-----------------|------------------|
| <b>SOURCE FACILITY/DEVICE</b><br>Diversion #1 | <b>PARCEL</b> | <b>WELL TAG</b> | <b>TWN</b><br>7 N. | <b>RNG</b><br>34 E. | <b>SEC</b><br>36 | <b>QQ Q</b><br>S½NW¼ | <b>LATITUDE</b> | <b>LONGITUDE</b> |
|---|---------------|-----------------|--------------------|---------------------|------------------|----------------------|-----------------|------------------|

Datum: NAD83/WGS84



## Place of Use

### PARCELS (NOT LISTED FOR SERVICE AREAS)

340725-110005, 340725-340005, 340736-510077, 340736-510076, 340736-510071, 340736-510070

### LEGAL DESCRIPTION OF AUTHORIZED PLACE OF USE

**Bye-Far Golf LLC:** Parcel A, a portion of the SW¼ of section 25, T. 7 N., R. 34 E.W.M. Beginning at a point 847 feet north of the SW corner of section 25 on the section's west line. Thence continuing on the west line 587 feet. Thence east 2428 feet on a line parallel to the south line of section 25. Thence S. 1°5'30" E., 400 feet. Thence N. 88°37'50" W., 518 feet. Thence S. 80°03'45" W., 102 feet. Thence N. 88°37'50" W., 1075 feet. Thence along a curve with radius of 3720 feet to the left a distance of 456 feet. Thence S. 64°08'01" W., 366 feet. Thence along a curve with radius 3610 feet to the left to the POB.

**Alfalfa LLC:** Parcel B, a portion of the SW¼ of section 25 and the NW¼ of section 36, T. 7 N., R. 34 E.W.M. Beginning at a point 3010 feet west of the SE corner of section 25 on the south line. Thence N. 1°46'45" W., 580 feet. Thence east parallel to the south section line 425 feet. Thence N. 88°48'30" W., 440 feet. Thence N. 78°28'20" W., 203 feet. Thence N. 88°53'30" W., 722 feet. Thence S. 1°31'40" E., to the Hwy 12 right of way. Thence easterly along the right of way 948 feet. Thence north 554 feet to the POB.

## Provisions

### Water Use Efficiency

Use of water under this authorization shall be contingent upon the water right holder's maintenance of efficient water delivery systems and use of up-to-date water conservation practices consistent with established regulation requirements and facility capabilities.

This authorization is subject to the provisions set forth in the decree of the Superior Court of Walla Walla, State of Washington, made and entered on the 12<sup>th</sup> day of September, 1928, otherwise known as Walla Walla River Adjudication Decree No. 19075.

When the supply of water for irrigation purposes from April 1<sup>st</sup> to October 1<sup>st</sup> is insufficient in the Walla Walla Valley to fill any right contained in the Walla Walla River Adjudication, the owner of such right is entitled to divert water during the period of October 1<sup>st</sup> to April 1<sup>st</sup> at the rate and duty authorized by this certificate. The total amount of water diverted shall not exceed 3.87 acre-feet per acre for each year beginning October 1<sup>st</sup>.

When the flow of the Walla Walla River and its tributaries is insufficient to supply all classes, rights of a higher class shall be fully satisfied before water is given to those of a subordinate class, except where specifically modified, and in case of failure of the supply of water to completely satisfy the total amount awarded to a given class, the amount remaining for said class shall be apportioned to the appropriators in said class in the proportion which the number of cubic feet per second awarded to each person bears to the total number of cubic feet per second awarded such class, subject to use by rotation.



An approved measuring device shall be installed and maintained for each of the sources authorized by this water right in accordance with the rule "Requirements for Measuring and Reporting Water Use", chapter 173-173 WAC. WAC 173-173 describes the requirements for data accuracy, device installation and operation, and information reporting. It also allows a water user to petition Ecology for modifications to some of the requirements. Installation, operation and maintenance requirements are enclosed as a document entitled "Water Measurement Device Installation and Operation Requirements". <http://www.ecy.wa.gov/programs/wr/measuring/measuringhome.html>

Water use data shall be recorded monthly. The maximum monthly rate of diversion/withdrawal and the annual total volume shall be submitted to Ecology by January 31st of each calendar year.

Reported water use data shall be submitted via the Internet or by using the enclosed forms. To set up an Internet reporting account, access <https://fortress.wa.gov/ecy/wrx/wrx/Meteringsx/>. If you have questions or need additional forms, contact the Eastern Regional Office.

Future Superseding Certificates for Walla Walla River Adjudication Certificate Nos. 833(A) and 833(E) will not be issued until evidence of meter installation has been submitted to the Department of Ecology.

No Dam or weir shall be constructed in connection with this diversion.

The intake(s) shall be screened in accordance with Department of Fish and Wildlife screening criteria.

Department of Ecology personnel, upon presentation of proper credentials, shall have access at reasonable times, to the project location, and to inspect at reasonable times, records of water use, wells, diversions, measuring devices and associated distribution systems for compliance with water law.

Nothing in this authorization shall be construed as satisfying other applicable federal, state, or local statutes, ordinances or regulations.

#### **General**

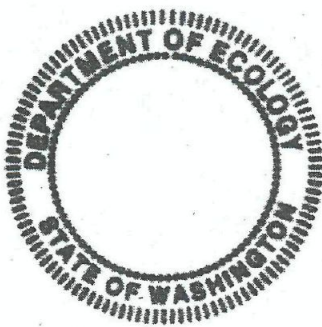
The amount of water granted is a maximum limit that shall not be exceeded and the water user shall be entitled only to that amount of water within the specified limit that is beneficially used and required, for the actual crop grown on the number of acres and the place of use specified.

Water may only be diverted from this additional point to the extent that water is available at the original authorized point of diversion (Mill Creek).

The right to use of the water aforesaid hereby confirmed is restricted to the lands or place of use herein described, except as provided in RCW 90.03.380, 90.03.390, and 90.44.100.

This superseding certificate of water right is specifically subject to relinquishment for non-use of water as provided in Chapter 90.14 RCW.

*Given under my hand and the seal of this office at Spokane, Washington, this 30th day of January, 2014.*



Maia Bellon, Director  
Department of Ecology

DATA REVIEW  
OK

A handwritten signature in dark ink, appearing to read "Keith L. Stoffel", written over a horizontal line.

Keith L. Stoffel, Section Manager  
Eastern Regional Office  
Water Resources Program

A handwritten signature in dark ink, appearing to read "Keith L. Stoffel", written over a horizontal line.

If you need this document in an alternate format, please call the Water Resources Program at 360-407-6872. Persons with hearing loss can call 711 for Washington Relay Service. Persons with a speech disability can call 877-833-6341.